

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case
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This document relates to:

*Estate of John P. O'Neill, Sr., on behalf John P. O'Neill, Sr., deceased, and on behalf of
decendent's heirs-at-law, et al. v. Republic of Iraq, Case No. 04-CV-1076 (RCC)*

DECLARATION OF DR. TAHA JABIR AL-ALWANI

I, Dr. Taha Al-Alwani, state as follows:

1. I submit this declaration in support of my motion to dismiss the Second Amended Complaint (the "Complaint") that was served on me in the above-referenced action. The Complaint against me should be dismissed because I am not the Taha Al-Alwani that is named as a Defendant in the Complaint.

2. The Al-Alwani named in the Complaint is described in paragraph 36 as a "natural person[], subject[] and citizen[] of Iraq" and a "leader[], official[], agent[]/or employee[] of Iraq and/or its Intelligence Agency, who participated in the acts and conspiracy described below while acting in the course and scope of their employment."

3. This does not describe me. I was born in Iraq in 1935, but I left that country in 1969 and have never returned. I moved permanently to the United States in 1984 and I became a United States citizen in 1992.

4. Moreover, I am not – and never have been – a leader, official, agent or employee of Iraq and/or its Intelligence Agency. Nor did I participate in any of the acts or conspiracies described in the Complaint.

5. The surname “Al-Alwani” is a tribal in Iraq; there may be as many as 50,000 families with that name living in Iraq. It is likely that the Taha Al-Alwani that the Defendants name and describe in the complaint is the former mayor of Fallujah, who is named Taha *Badwi Hamid* Al-Alwani, whose was born in 1955, or perhaps another Iraqi national, who actually was a member of Saddam Hussein’s Baath party.

I declare under the penalty of perjury under the laws of the United States of America, including 28 U.S.C. § 1746, this 4th day of October, 2005, that the foregoing is true and correct.


Dr. Taha Jabir Al-Alwani